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40 CFR Ch. I (7–1–14 Edition)

1037.104(b) as determined by the OEM for the subconfiguration that is identical to the fuel conversion emission data vehicle (EDV):

(A) If the OEM complied with alternate standards for N₂O and/or CH₄, as allowed under 40 CFR 1037.104(c) you may demonstrate compliance with the same alternate standards.

(B) If you are unable to meet either the N₂O or CH₄ standards and your fuel conversion CO₂ measured value is lower than the in-use CO₂ exhaust emission standard, you may also convert the difference between the in-use CO₂ exhaust emission standard and the fuel conversion CO₂ measured value into GHG equivalents of CH₄ and/or N₂O, using 298 g CO₂ to represent 1 g N₂O, and 25 g CO₂ to represent 1 g CH₄. You may then subtract the applicable converted values from the fuel conversion measured values of CH₄ and/or N₂O to demonstrate compliance with the CH₄ and/or N₂O standards.

(C) You may alternatively comply with the greenhouse gas emission requirements by comparing emissions from the vehicle before and after the fuel conversion. This comparison must be based on FTP test result from the emission data vehicle (EDV) representing the pre-conversion test group. The sum of CO₂, CH₄, and N₂O shall be calculated for pre- and post-conversion FTP test results, where CH₄ and N₂O are weighted by their global warming potentials of 25 and 298, respectively. The post-conversion sum of these emissions must be lower than the pre-conversion greenhouse gas emission result. Calculate CO₂ emissions as specified in 40 CFR 600.113. If we waive N₂O measurement requirements based on a statement of compliance, disregard N₂O for all measurements and calculations under this paragraph (a)(2)(iii)(C).

(3) Conversion systems for engines that would have qualified for chassis certification at the time of OEM certification may use those procedures, even if the OEM did not. Conversion manufacturers choosing this option must designate test groups using the appropriate criteria as described in this subpart and meet all vehicle chassis certification requirements set forth in 40 CFR part 86, subpart S.

(b) [Reserved]

[76 FR 57372, Sept. 15, 2011, as amended at 77 FR 63149, Oct. 15, 2012; 78 FR 36388, June 17, 2013]

§ 85.530 Vehicle/engine labels and packaging labels.

(a) The following labeling requirements apply for clean alternative fuel conversion manufacturers to qualify for an exemption from the tampering prohibition:

(1) You must make a supplemental emission control information label for each clean alternative fuel conversion system.

(2) On the supplemental label you must identify the OEM vehicles/engines for which you authorize the use of your clean alternative fuel conversion system, consistent with the requirements of this subpart. You may do this by identifying the OEM test group/engine family names and original model year to which your conversion is applicable as described in § 85.510(b)(1) or § 85.510(b)(2), § 85.515(b)(10)(ii), or § 85.520(b)(6)(ii). Your commercial packaging materials must also clearly describe this information.

(3) You must include the following on the supplemental label:

(i) You must state that the vehicle/engine has been equipped with a clean alternative fuel conversion system designed to allow it to operate on a fuel other than the fuel it was originally certified to operate on. Identify the fuel or fuels the vehicle/engine is designed to use and provide a unique conversion test group/conversion engine family name and conversion evaporative/refueling emissions family name.

(ii) You must identify your corporate name, address, and telephone number.

(iii) You must include one of the following statements that describes how you comply under this subpart and any applicable mileage or age restrictions due to how compliance was demonstrated:

(A) “This clean alternative fuel conversion system has been certified to meet EPA emission standards.”

(B) “Testing has shown that this clean alternative fuel conversion system meets EPA emission standards

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under the intermediate age vehicle/engine program.”

(C) “This conversion system is for the purpose of use of a clean alternative fuel in accordance with EPA regulations and is applicable only to vehicles/engines that are older than 11 years or 120,000 miles.” (Values must be adjusted to reflect OEM useful life; useful life in hours should be added, if applicable).

(iv) State the following: “This conversion was manufactured and installed consistent with the principles of good engineering judgment and all U.S. EPA regulations.”

(4) On the supplemental label, you must identify any original parts that will be removed for the conversion and any associated changes in maintenance specifications.

(5) On the supplemental label, you must include the date of conversion and the mileage of the vehicle/engine at the time of conversion. Include the hours of operation instead of mileage, if applicable.

(b) The supplemental emission control information label shall be placed in a permanent manner adjacent to the vehicle’s/engine’s original emission control information label if possible. If it is impractical to place the supplemental label adjacent to the original label, it must be placed where it will be seen by a person viewing the original label on a part that is needed for normal operation and does not normally need replacement. If the supplemental label information cannot fit on one label, the information can be logically split among two labels that are both near the original VECI or engine label.

(c) All information provided on clean alternative fuel conversion system packaging must be consistent with the required vehicle/engine labeling information.

(d) Examples of all labeling and warranty information must be provided as part of the application for certification or notification process.

(e) The marketing material and label information for a given conversion system must be consistent with the conversion manufacturer’s demonstration/notification to EPA for that system.

§ 85.535 Liability, recordkeeping, and end of year reporting.

(a) Clean alternative fuel conversion manufacturers are liable for in-use performance of their conversion systems as outlined in this part.

(b) We may conduct or require testing on any vehicles/engines as allowed under the Clean Air Act. This may involve confirmatory testing, in-use testing, and/or selective enforcement audits for clean alternative fuel conversion systems. Dual-fuel vehicles/engines may be tested when operating on any of the fuels. Mixed-fuel vehicles/engines may be tested on any fuel blend ratio that is expected to occur during normal operation.

(c) Except for an application for certification, your actions to document compliance and notify us under this subpart are not a request for our approval. We generally do not give any formal approval short of issuing a certificate of conformity. However, if we learn that your actions fall short of full compliance with applicable requirements we may notify you that you have not met applicable requirements or that we need more information to make that determination. The exemption from the tampering prohibition may be void ab initio if the conversion manufacturer has not satisfied all of the applicable provisions of this subpart even if a submission to EPA has been made and the conversion system appears on EPA’s publicly available list of compliant systems.

(d) Clean alternative fuel conversion manufacturers must accept in-use liability for warranty, are subject to defect reporting requirements, and may be required to recall any parts or systems for which the failure can be traced to the conversion, regardless of whether installation was proper or improper. The OEM shall remain liable for the performance of any parts or systems which retain their original function following conversion and are unaffected by the conversion.

(e) Clean alternative fuel conversion manufacturers must keep sufficient records for five years from the date of notification or certification, or the date of the last conversion installation, whichever is later, to show that they meet applicable requirements.